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Att'y. Docket No.: 203284/1230

Th 1633
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Habener et al.

Examiner: Wehbe, Anne
Marie Sabrina

Serial No.: 09/731,261

Filed: December 6, 2000

Group Art Unit: 1633

Entitled: Stem Cells of the Islets of Langerhans
and Their Use in Treating Diabetes
Mellitus

Conf. No.: 9060

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Bethany Stokes

Name of Person Mailing Paper

Bethany Stokes

Signature of Person Mailing Paper

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Enclosed for filing in the above-identified patent application, please find the following documents:

1. Information Disclosure Statement;
2. Form PTO-1449 listing 8 References;
3. Copies of 7 Non - U.S. Cited References; and
4. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 203284/1230. A duplicate of this transmittal letter is enclosed for this purpose.

Date: February 14, 2006

Respectfully submitted,

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PATENT

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §§ 1.56, 1.97 AND 1.98

Dear Sir:

In accordance with the duty of disclosure under 37 CFR § 1.56, Applicant submits this Information Disclosure Statement pursuant to 37 CFR §§ 1.97 and 1.98 in the above-identified application for consideration by the Patent Office.

A listing of the cited documents, as well as, for the Examiner's convenience, copies of all foreign patent documents and non-patent literature are enclosed. This application was filed after June 30, 2003, and copies of U.S. patents and U.S. patent applications are not required and are not enclosed.

Pursuant to CFR § 1.97(e)(1), each item contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application or International application. Please note the Zulewski et al. reference and the Peck et al. reference were previously cited in the Information Disclosure Statement filed on June 16, 2003. Because this statement is being filed within three months of receipt of the Search Report, no fee is believed to be due. A copy of the Search Report is included and cited on the enclosed PTO-1449.

Applicant does not intend to represent that any of the documents submitted herein are material prior art to this invention or that the list represents an exhaustive search of documents related to this invention.

Applicant respectfully requests that the documents submitted herein be considered and made of record in this application.

Date: February 14, 2006

Respectfully submitted,

Elizabeth M. Williams Reg #45,123 f

Name: Kathleen M. Williams

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| U.S. Department of Commerce Patent and Trademark Office INFORMATION DISCLOSURE STATEMENT | | | | Attorney Docket No. 203284/1230 | | Serial No. 09/731,261 | | |
| | | | | Applicant(s): Habener et al. | | | | |
| | | | | Filing Date: December 6, 2000 | | Group: 1633 | | |
| U.S. PATENT DOCUMENTS | | | | | | | | |
| Examiner Initial | | Patent No. | Date | Name | Class | Subclass | Filing Date (if appropriate) | |
| | | 2001/0024824 | September 27, 2001 | Moss et al. | 435 | 366 | December 6, 2000 | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | | |
| Examiner Initial | | Document No. | Publication Date | Country | Class | Subclass | Translation | |
| | | | | | | | YES | NO |
| | A | WO 02/12452 | February 14, 2002 | WIPO | C12N | 5/06 | | |
| | B | WO 03/048336 | June 12, 2003 | WIPO | C12N | | | |
| | C | WO 03/054171 | July 3, 2003 | WIPO | C12N | 5/06 | | |
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| OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.) | | | | | | | | |
| | D | Lechner et al., <u>Nestin-Positive Progenitor Cells Derived from Adult Human Pancreatic Islets of Langerhans Contain Side Population (SP) Cells Defined by Expression of the ABCG2 (BCRP1) ATP-Binding Cassette Transporter</u> , (2002), Biochemical and Biophysical Research Communications, Vol. 293, pp. 670-674. | | | | | | |
| | E | Maliepaard et al., <u>Subcellular Localization and Distribution of the Breast Cancer Resistance Protein Transporter in Normal Human Tissues</u> , (2001) Cancer Research, Vol. 61, pp. 3458-3464. | | | | | | |
| | F | Soria, Bernat, <u>In-vitro Differentiation of Pancreatic β-cells</u> , (2001), Differentiation, Vol. 68, pp. 205-219. | | | | | | |
| | G | European Search Report based on European Patent Application No. 02768905.8 dated April 11, 2005. | | | | | | |
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| EXAMINER | | | | | DATE CONSIDERED | | | |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant. | | | | | | | | |
| **Copies of references not provided at the time of this submission. | | | | | | | | |